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HELP AMERICA VOTE ACT

Public Hearing
March 19, 2003
600 West Main Street
Jefferson City, Missouri

APPEARANCES: Matt Blunt, Secretary of State
Pat Conway, Buchanan County Clerk
Judy Taylor, St. Louis County Democrat
Election Director
Gary Stoff, St. Louis City Republican
Election Director
Richard Strueckhoff, Greene County Clerk

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P R O C E E D I N G S

SECRETARY BLUNT: Well, I'd like to welcome everybody here. I'm Secretary of State Matt Blunt, and this is a public hearing for the State Plan Committee.

The Federal Government passed the Help America Vote Act. One of the things they required is that every state submit a State Plan to the Federal Government about how to utilize Federal funding to improve their election process.

And to do that we've created, I think, a State Plan Committee that really represents lots of different groups that have an interest in the election process, a very diverse group.

Every political party is represented in the State Plan Committee. Just as I utilize local election authorities to be the core of a Bipartisan Reform Commission that made recommendations that were adopted in 2002, local authorities are an important core of this group to ensure that our plan is indeed something that we can implement and really will provide a better service and a better election process for the people of Missouri.

A number of those State Plan Committee members are here. I'm fortunate enough to have four with me to listen to testimony.

To my far left is Greene County Clerk Richard

1 Strueckhoff. Next to him is Gary Stoff, the St. Louis
2 City Republican Election Director. On my right is
3 Judy Taylor, St. Louis County Democrat Election Director.
4 And then Pat Conway, Buchanan County Clerk.

5 And we're very anxious to hear what you have to
6 say.

7 I might ask if Pat and Richard and Gary and
8 Judy would like to make just a few comments.

9 MR. CONWAY: Thank you, Mr. Secretary.

10 First of all, I'd like to thank you, the
11 Secretary of State and his office, for allowing for
12 implementing these sessions.

13 I think what we have learned across the state
14 so far has given us a lot of vital information that we
15 need in order to make the best decision that we can with
16 the Federal money that we will receive and have everyone
17 adequately represented.

18 Richard Strueckhoff, as was introduced, and I
19 are co-chairing the Database and Provisional Voting
20 Subcommittee, and we will be interested in hearing
21 testimony from those people who have issues in those
22 regards.

23 My fellow co-chairs of other subcommittees will
24 address their issues.

25 I'd also like to thank these people who are

1 serving on our committee who are here and have attended a
2 number of these sessions, and we appreciate their coming
3 to this session also.

4 So Judy.

5 MS. TAYLOR: I want to thank everyone for
6 coming. This is our third hearing and they're going very
7 well. We're getting an insight into the needs and the
8 wants of the people.

9 I co-chair the Equipment and Accessibility, and
10 we're very interested in what everyone has to say, and
11 we're just looking forward to working with everyone.

12 MR. STOFF: I co-chair the Education and
13 Training Subcommittee with my Democratic counterpart from
14 Kansas City who couldn't be here this afternoon, and I
15 would echo the comments of the other folks who have
16 addressed you so far.

17 We have a terrific opportunity to implement
18 some changes and some recommendations that will be very
19 beneficial both for the voters and for the election
20 authorities.

21 And the information that we have received so
22 far at the hearing that I attended in St. Louis was very
23 helpful and insightful and things that maybe we took for
24 granted, now we're more sensitive to.

25 So we look forward to receiving your comments

1 and your constructive input to the process that we're
2 going through, so we can make a valuable recommendation to
3 the Secretary of State.

4 MR. STRUECKHOFF: My colleague and co-chair,
5 Pat Conway, said it all. I don't need to say anything
6 more.

7 SECRETARY BLUNT: Well, to echo what has been
8 said, public testimony is important.

9 In Missouri, we had a Bipartisan Reform
10 Commission that I appointed early in 2001, made
11 recommendations that were adopted in 2002 and I believe
12 helped improve our election process.

13 Part of crafting those was public testimony
14 around the state, public hearings around the state. And
15 I'm hopeful that just as was beneficial then, it will be
16 beneficial now.

17 And there are two reasons to work and develop
18 the State Plan that improves our election process. One is
19 Federal funding, but the far more important reason is to
20 improve the State election process.

21 We already meet in Missouri -- because we've
22 been aggressive in election reform -- several of the
23 Federal mandates, but there are some things that we have
24 to improve in our state, and I'm confident that the State
25 Plan Committee working together will be able to craft

1 recommendations that will show full compliance with the
2 Federal law but it will also make substantive improvements
3 in our election process.

4 But having said that, the purpose of this
5 hearing is to hear from Missourians and interested parties
6 around the state, and I would encourage anybody to come
7 forward and offer comments or thoughts.

8 We'll start with Gary Ball.

9 Mr. Ball.

10 MR. BALL: My name is Gary Ball. I'm a
11 resident here of Jefferson City.

12 And I previously voted at the West School
13 Elementary and now vote over at the National Guard Armory
14 on St. Marys.

15 My question is, that when I go into this
16 National Guard Armory, I'm required to show an ID before I
17 am allowed entrance into the building, and, therefore,
18 this is before you get into the voting place.

19 My question is not that I object to doing that,
20 because that's the security of the necessity of the
21 situation at the National Guard, but what about the
22 security of the other polling places such as the
23 elementary school?

24 It seems inconsistent that we would have a
25 higher level of security for a National Guard gymnasium

1 than we do for elementary schools in the area for polling
2 places.

3 SECRETARY BLUNT: Certainly we wouldn't want to
4 use polling places that have a more stringent ID
5 requirement for entrance than we have to cast a ballot.

6 And if that's the case, I think the local
7 election authorities would want to look at -- I know this
8 is a real issue, and I -- Richard, one of your
9 constituents, we have had some e-mails you copied me on.

10 MR. STRUECKHOFF: We've been corresponding.

11 In fact, this person talking to us about this,
12 the school where her child goes.

13 A lot of the schools in Missouri have really
14 clamped down on security. You can't just walk into any
15 door of a school now.

16 MR. BALL: Yes.

17 MR. STRUECKHOFF: You can usually only go in
18 one door. You must stop at the secretary or principal's
19 office, and you have to get a visitor's name tag and sign
20 in, sign out when you leave.

21 Her concern was that on election day, all of
22 the security measures are thrown to the wind, that people
23 can come and go as they please.

24 Her concern was that people could hide in the
25 rest rooms, come in on the pretense that they're there to

1 vote and then reek some kind of havoc after election day
2 or during election day or whatever.

3 We're really right in the middle of a great
4 argument here. You know, we have people here who think
5 that the polling places should be opened up, that they
6 aren't accessible enough. We have other people that
7 believe that they're too accessible and that we need to
8 clamp down on security. And we're caught right in the
9 middle of this.

10 Her suggestion was that we stop using schools
11 as polling places.

12 In Greene County, in the 113th precinct,
13 59 precincts are in schools. So we couldn't just suddenly
14 say we're not going to use public buildings.

15 No. 1, the law tells us that we should whenever
16 possible. No. 2, most of our public building schools and
17 whatever are handicapped accessible. They were ahead of
18 the curve on accessibility.

19 MR. BALL: That's correct.

20 MR. STRUECKHOFF: So we're kind of in a
21 quandary.

22 One idea that I forwarded to our Legislative
23 Committee -- and it's not going to solve your Armory
24 problem -- but as far as the schools are concerned, there
25 was a day in this state when schools were closed for at

1 least the general election

2 MR. BALL: Yes, I remember that.

3 MR. STRUECKHOFF: We find, as election
4 authorities, like, the Friday before or the Friday after,
5 the same school that was open for class on Tuesday, while
6 we're conducting an election, was closed for parent/
7 teacher conferences.

8 Why can't we coordinate that with the school
9 districts and say, plan your parent/teacher conference on
10 the day of the election or close the school.

11 That seems to me to be the answer.

12 Now, as far as the Armory goes, is that
13 something recently because of the terrorist threat?

14 MR. BALL: Well, I really don't know, because
15 this was the first time that I was scheduled to vote
16 there.

17 So when I walked in, naturally, I had to show
18 ID before gaining entrance to the building in which the
19 polling place was located.

20 MR. STRUECKHOFF: Yeah.

21 MR. BALL: So I'm not sure what the policy was
22 prior to that.

23 MR. CONWAY: Richard, if I could, Gary and I
24 appreciate your comments and concerns that election
25 officials throughout the State have.

1 I'd like to preface these remarks to one
2 necessary item, I think, that we want people to understand
3 who attend these hearings.

4 And Secretary Blunt and all of his predecessors
5 have discussed this issue in the Legislature, but all
6 elections are paid for by the -- at the local level.

7 Counties pick up the cost whether it's a
8 presidential election, whether it's a statewide governor's
9 race, whether it's any type of race on the state or
10 national level, the county picks up the cost, school
11 districts and, of course, cities and districts share in
12 the costs of an election.

13 So you have to remember one of the limitations
14 that we have is funding, and as Richard pointed out, in
15 Buchanan County in St. Joseph, Missouri we use over
16 25 public buildings and schools.

17 And we have -- we do that for a cost savings.
18 We can't go out and just arbitrarily rent facilities even
19 if we could get them. The cost factor would be
20 prohibitive. So it's something we've discussed.

21 One of the issues, as Richard pointed out, and
22 I brought this to Congresswoman Danner's attention when
23 she was in the 6th District, and I've discussed it several
24 times, I've always felt that the presidential election,
25 whichever election officials in the State has said over

1 the years is the one that has the greatest turnout, we had
2 an election in February and we had an 18 percent turnout,
3 but in the presidential election of '92 we had an
4 80 percent turnout. The presidential election is always
5 the largest election.

6 We all know that Veteran's Day is a very
7 special day in the hearts of all people who have served.
8 It occurs in November.

9 It would seem to me that to honor veterans and
10 to also implement a method of elections that people will
11 participate in, that we would give some idea of changing
12 Veteran's Day to the election day.

13 We have floating holidays on every issue, and
14 although November 11th celebrates the end of World War I,
15 there is a number of other battles that people have served
16 in, and veterans like myself and the Secretary who have
17 seen situations of war are aware of the fact that that
18 would honor all veterans.

19 And, to me, if the election date was held on
20 the second Tuesday of November, and that would also be
21 celebrated on Veteran's Day, there is no more better way
22 to commemorate Veteran's Day than actually voting.

23 And then on the tactical and technical level,
24 it would allow us access to all of the school buildings,
25 possibly bank buildings and all of these facilities that

1 we so desperately need on the election, by far the biggest
2 election of the four-year cycle.

3 MR. STOFF: In the City of St. Louis, we have a
4 comparable problem in the sense that dollars are always
5 tight and being able to use public buildings, especially
6 schools, is very beneficial for us. It's a cost savings,
7 that they're typically handicapped accessible, typically
8 have parking available.

9 And now it's a requirement, of course, that for
10 every election you have to show some form of
11 identification.

12 And so if the concern is that your sort of
13 being ID'd twice, once to get in the building and once to
14 vote, that may be a peculiarity of that particular
15 facility.

16 But certainly one of the things we need to be
17 concerned about is being as consistent as we can across
18 the state with our requirements, and anything that we can
19 do to make it more accessible for people to do that and to
20 come out to the voting place and exercise their right to
21 vote, we should give some consideration.

22 MR. BALL: Well, there are many polling places
23 that could be utilized that are not necessarily in a
24 school that are other public buildings, from libraries to
25 county offices to health departments and a variety of

1 locations that could be utilized for that purpose and not
2 be necessarily restricted simply to elementary education
3 schools.

4 MR. STRUECKHOFF: I would think in Cole County
5 you probably have more public buildings than anywhere in
6 the state.

7 MS. TAYLOR: In St. Louis County it seems that
8 the schools are easily accessible to the handicapped, and
9 that's our first priority.

10 And, also, we would like to see the schools
11 closed, and we would like to see the teachers utilized as
12 judges.

13 MR. STRUECKHOFF: We don't want to tell them
14 that yet, Judy. That's the next step.

15 MR. CONWAY: Well, that's Part 2. That's
16 something that we would really like to see.

17 SECRETARY BLUNT: Go ahead, Mr. Ball.

18 MR. BALL: Pardon me?

19 SECRETARY BLUNT: Were you going to offer --

20 MR. BALL: That was the predominant issue that
21 I was going to make, is the fact that we looked a little
22 closer at the polling place that we select, ensure that
23 it's the best choice, the wisest choice in the location
24 and the locality that we're doing it, and that we make
25 this as successful as possible, but, as always, as secure

1 as possible for those individuals who reside in the
2 building in which the polling is being conducted.

3 MR. STRUECKHOFF: Gary, just on the other side
4 of the coin, I have voters in Greene County who wish our
5 polling places were as secure as where you vote, so . . .

6 MR. BALL: I imagine that's true.

7 MR. STRUECKHOFF: -- their level of security,
8 their need for security, is a little higher than others,
9 and I think that could begin to change as time goes on,
10 unfortunately.

11 And that's -- an election, I know how hard it
12 is to find good polling places.

13 As soon as, for example, you change 100, 200,
14 500 people from this Armory, I'm sure your election
15 authority here in Cole County is going to get letters from
16 people that say, by golly, we voted there for 100 years
17 and why did you change it and I'll never vote again.

18 Because we all get letters like that.

19 MR. BALL: Sure, certainly.

20 And the other issue is whether or not there has
21 been any discussion about posting security at some of the
22 polling places and requesting -- as you said, this is a
23 locally funded issue from the county, whether or not there
24 is any potential for identifying certain areas to have
25 some additional security on polling day, on voting day.

1 MR. STRUECKHOFF: We appreciate your testimony.

2 SECRETARY BLUNT: Next I'd like to ask Mike
3 Griffin to come forward.

4 Mr. Griffin.

5 MR. GRIFFIN: Good afternoon, Gentlemen.

6 MR. STRUECKHOFF: Good afternoon.

7 SECRETARY BLUNT: Good afternoon.

8 MR. GRIFFIN: I live in Osage County, which is
9 adjacent to Cole County, and one of my main concerns as a
10 registered voter is the accessibility of the polling
11 places.

12 For my township it is a church, and I have a
13 choice of six steps going up or seven steps going down for
14 polling, so, naturally, it doesn't work.

15 I usually have to take my mother along with me
16 and then wait in the truck for her to go in and get a
17 couple of people from the polling place to come out and
18 bring me the ballots, and then I feel like we lose all of
19 our privacy in our voting, and voting is a privilege I
20 believe that I just don't want to share with everybody
21 else at the pole on the way I vote.

22 And the accessibility is the key issue to me.

23 This gentleman said earlier that 56 percent of
24 the places are public buildings for polling places.

25 I agree. But the ones that we use that are not, that are

1 private buildings, like churches, should also be
2 accessible.

3 SECRETARY BLUNT: And one of our real goals is
4 to try and work towards where everybody has the privacy
5 that most Missourians are able to associate with voting
6 and casting their ballot and make those choices not only
7 on their own but so only they know what choices they've
8 made.

9 And I know that's an issue for people that have
10 a disability and gets into both equipment issues in those
11 places, election issues that we are recently discussing.

12 MR. GRIFFIN: I work for the Independent Living
13 Resource Center in Jeff City, and I see a lot of people
14 with disabilities all day long.

15 One of the key things that part of my job is,
16 is to make sure that people are registered to vote. If
17 they're not, to have the opportunity to be registered to
18 vote.

19 And the biggest obstacle I hear is the
20 accessibility level and privacy level.

21 They feel like even if they were registered to
22 vote, they wouldn't have access to the polling place,
23 which is a hard argument, especially when I'm trying to
24 get them to register to vote and I myself do not have an
25 accessible polling place.

1 It's a hard argument to overcome and to make
2 sure that the people who are registered can exercise their
3 right and participate in voting of this nation.

4 MR. STRUECKHOFF: Mike, you live in a rural
5 area?

6 MR. GRIFFIN: I live outside of Linn, Missouri,
7 which is about 30 miles east.

8 Unfortunately, they have broken it down into
9 different townships for polling, and in the area I live
10 it's, in a church.

11 MR. STRUECKHOFF: Okay. And you brought this
12 to the attention of your election authority, your county
13 clerk?

14 MR. GRIFFIN: I have, and it just --
15 unfortunately, I get told that the financials are not
16 available for any modification or of any relocating of the
17 polling place to a different area where we would have
18 accessibility.

19 So until that time, I'm sure it's the same
20 inaccessible point.

21 MS. TAYLOR: And the church can't build a ramp?

22 MR. GRIFFIN: No, they're not willing to do
23 that.

24 MR. STRUECKHOFF: Is it a historic church, a
25 really old church?

1 MR. GRIFFIN: Yes.

2 MR. STRUECKHOFF: Are you aware of other
3 buildings within the township that are --

4 MR. GRIFFIN: Actually, in the town they have
5 the polling done, and there are not any other buildings.

6

7 I think there is one little general store that
8 has, I think, three steps going into it and maybe two to
9 get on the porch and one to get in the door. It's also an
10 old building.

11 MR. STRUECKHOFF: The Help America Vote Act
12 provides some funding to improve accessibility in
13 buildings like that, but if it's an historic building and
14 they can't modify it because of its historical value, you
15 come across that some of the times.

16 MR. GRIFFIN: I don't believe it was historic.
17 I believe it was torn down a couple of decades ago, I
18 believe, and they had a concrete basement poured and then
19 built the church on that but have no accessibility to it.

20 SECRETARY BLUNT: And there are some grants
21 that local authorities and State authorities can apply
22 for, actually, through the Health and Human Services
23 Department, is my understanding.

24 I don't know if that money has been
25 appropriated yet by the Federal government -- and I'm

1 being told that it has been appropriated by the Federal
2 government. So there are some grants out there that local
3 election authorities could apply for to help make sites
4 more handicapped accessible and just handicapped
5 accessible.

6 We need you to offer -- this is Wendy Noren,
7 the Boone County Clerk.

8 MS. NOREN: I have one suggestion. And,
9 Mr. Secretary, your father drafted this section of
10 Missouri law, that it allowed a voter who is assigned to
11 an inaccessible polling place, to both voter and members
12 of that voters family, to be assigned to an accessible
13 polling place.

14 And we do this all of the time. The election
15 authorities need to know in advance to know that your
16 property ballot -- because you've got different ballots, a
17 different polling place is available to you there.

18 So I can show you the section of the law. But
19 Missouri was the first state to do that, and it was when
20 your dad was County Clerk, he recommended that, and it's
21 been in our law for 20 years now.

22 MR. GRIFFIN: Thank you.

23 SECRETARY BLUNT: Thank you very much.

24 Next I'd like to ask Kevin R. Jenkins to come
25 forward.

1 Mr. Jenkins.

2 MR. JENKINS: Hi. My name is Kevin Jenkins. I
3 am with Ozark Independent Living.

4 And my statements echo just like the guy
5 before. I live in a rural area, Douglas County. We're a
6 pretty large county, but it's mostly -- there is no large
7 city. It's just more a rural area county.

8 And I have the same trouble in voting. I vote
9 out of a church just down the road from me. And in order
10 to get to the church, there is the accessibility as far as
11 getting into the church, but they have their voting deal
12 in the basement. And you have to actually go around into
13 the grass and down a steep bank and into the basement.

14 And I feel like, you know, I can't -- you know,
15 if the handicapped people, especially a person in a
16 wheelchair who is on crutches or on, you know, other
17 things, they're needing help, a walker, you know, we have
18 to have the accessibility.

19 And most of your churches and other
20 buildings -- we've got two buildings that we vote out of.
21 One is an old building that you've got two steps to get
22 into it.

23 So if I go vote in it, they have to bring the
24 voting machine out to me.

25 And, of course, the other one in the church, I

1 mean, I do have help getting down into the basement, but
2 it's difficult when the grass is muddy or the place is
3 muddy from the rain or what.

4 And I feel like, you know, some of these --
5 like, the churches and that, you know, don't have the
6 funding to completely do accessibility.

7 And that's where, I believe, you know, more my
8 voting rights. I think, you know, you guys need to help
9 us to figure out how to get, you know, accomplished more
10 in helping.

11 I know several people in my county that is in a
12 wheelchair, and they have not the opportunity to go in
13 actually to a private, you know, room to vote.

14 We're always -- you know, feel like we're
15 either in the way or, you know, feel like, well, we're
16 just such, you know, a burden to people.

17 And we don't want to feel that way. We want
18 our rights and our privileges to, you know, have that
19 right to go in like everybody else and vote, you know, in
20 our private own way.

21 MR. STRUECKHOFF: Kevin, is your courthouse
22 handicapped accessible?

23 MR. JENKINS: My court house is in Ava, and it
24 is to -- to a point.

25 I mean, it's -- it's accessible but, you know,

1 a lot of -- of course, you know, that's -- you don't go
2 voting over there, where I'm on the other end right there
3 beside Douglas and Howell County.

4 And so, I mean, it's -- you know, my voting is
5 just right there, you know, in a church. And so, you
6 know, in order to -- but our courthouse, it's the -- but
7 it's difficult because of how they had to build the ramps,
8 because the courthouse is an old building, and it's mostly
9 downhill.

10 And, you know -- so, you know, the rural
11 area -- I mean, like I said, you know, there is a lot
12 of -- a lot of Douglas County is rural area, you know. I
13 think the biggest city is probably Ava in Douglas County.

14 So, I mean, it needs to -- see that by looking
15 on the map how -- how big Douglas County is, and we're all
16 rural.

17 So you've got these -- most people in Douglas
18 County vote outside in the good old rural area, you know,
19 in the church building or -- or, like, one of our
20 buildings, 4H building that was abandoned years ago.
21 It was an old school house and a church house.

22 And so, you know, they never did upgrade
23 nothing. You just, you know, have to get in there the
24 best as you can to go vote if you want to vote.

25 MR. STRUECKHOFF: And you said you work for

1 Ozark Independent Living?

2 MR. JENKINS: I'm a board member of Ozark

3 Independent Living.

4 MR. STRUECKHOFF: Where are they located?

5 MR. JENKINS: West Plains, Missouri.

6 MR. STRUECKHOFF: Were you aware that you're

7 eligible under State laws to vote at the courthouse up to

8 six weeks before an election, up to the day before the

9 election?

10 MR. JENKINS: No, I'm not. You know, I'm not

11 aware of that, no.

12 MR. STRUECKHOFF: A lot of people aren't aware

13 of that.

14 And election authorities are kind of caught in

15 the middle. We have a group of people who don't have any

16 handicaps at all who would like that same privilege, to

17 vote early. That would cost the State an enormous amount

18 of money.

19 We already have people with any kind of

20 disability or illness, people who are going to be out of

21 the jurisdiction, serving in the Armed Forces or even

22 religious, incarcerated but not convicted, they also have

23 this privilege to vote early, six weeks before an

24 election.

25 MR. JENKINS: I shouldn't have to. I don't

1 want to be, you know, a privileged person, so to speak,
2 because I'm in a wheelchair, I get to vote six weeks early
3 or three weeks early or a day early. I like to vote on
4 the election day.

5 MR. STRUECKHOFF: And, again, you want to vote
6 on election day, and we have all of these other people who
7 would rather not. They don't want to stand in line.

8 MR. JENKINS: Right. Being in a rural area,
9 very seldom do you stand in line. It's not -- it's not
10 the city, you know.

11 You get -- you get to go in, you know, maybe
12 two or three people at a time. But, I mean, in my area --
13 I mean, being that I know everybody in that area. So
14 we're -- we're just a small community right in there. So
15 I know, you know, how many goes in and vote.

16 And most of the time I'm there early anyways,
17 because I don't, you know, work outside of the home. So I
18 can go in early during the day when the doors are open,
19 and it's easier to get in and out, where I don't have to,
20 you know, try to fight anybody.

21 Of course, like I said, we're a small community
22 anyways.

23 So, no, I don't have to worry about standing in
24 line and waiting on, you know, the poll.

25 MR. STRUECKHOFF: Kevin, as far as you know, if

1 State or Federal money were available to make this church
2 where you vote more accessible, do you think that they
3 would have a problem with that? Do you think they
4 wouldn't do it?

5 MR. JENKINS: No, I don't think they have a
6 problem. They have, you know, upgraded their building
7 quite a bit as far as, you know, they had to put a ramp in
8 there into their fellowship hall, and that's -- now you
9 can go up there and vote, but they have to still bring it
10 out of the basement up to that part, you know, if I -- you
11 know, if I do that.

12 But a lot of times, you know, I just go around
13 and go in the back, and hopefully my wheelchair will make
14 it down the -- you know, around the back without tipping
15 or anything, because the ground is unlevel and that,
16 and hopefully I can get back up.

17 But, you know, I usually have someone there to
18 help me. But I shouldn't have that problem. I should be
19 able to do it on my own.

20 MS. TAYLOR: Why can't they move it to the
21 fellowship hall?

22 MR. JENKINS: Because it's one big, open space.

23 MS. TAYLOR: Well --

24 MR. JENKINS: Which -- I don't know. They
25 probably never thought about it, maybe.

1 MS. TAYLOR: Maybe you should recommend that to
2 them, if that is accessible.

3 MR. JENKINS: Right.

4 But we have another old building that we vote
5 in for the county votes. You know, we have the election
6 vote in a building and the county in another building.

7 And, of course, there is no way to, you know,
8 get into it unless they actually built a ramp. And nobody
9 has the funding for that, you know, that old building.
10 It's just there to go in and vote and that's it.
11 It's just all building for 4H Club, basically.

12 MR. STRUECKHOFF: Just to point out why, again,
13 we like to use public buildings.

14 As election authorities, we can go to any
15 public building and we tell them what room we're going to
16 use. If we use a private building, like a church, the
17 church will say, okay, you can use this hall.

18 Well, when we know there is a big fellowship
19 all over here. We use it for day-care, we have sewing
20 classes or whatever, and we just can't use that.

21 And if the church decides, well, you know, this
22 voting thing is really a hassle. We don't want it to be a
23 polling place any more, then we have to go scrambling to
24 find another place for people to vote.

25 MR. JENKINS: Right. I don't think our

1 community would, you know, be -- be like that. I mean,
2 we're -- they pretty well, you know, take suggestions or,
3 you know, help out in any way.

4 But this -- you know, it has just been done
5 this year, the ramp in the fellowship hall. So we've
6 never had the election, you know, since it's been built.

7 But I do know for the past -- I mean, how much
8 trouble -- you know, I've been there for 16, 17 years, and
9 I know what kind of trouble it is for -- you know, for
10 people in a wheelchair or a handicapped person to that.
11 That is a hard-time walk to get to it.

12 I feel like if we had more accessibility -- I'm
13 just not talking about our -- just our church and that.
14 I'm talking about through the whole Douglas County area
15 and other counties in Howell and Shannon and all of them,
16 they use old buildings that, you know, we need to look at
17 it and see what -- what needs to be done to upgrade it in
18 any way, because I feel you guys are losing votes if you
19 don't get the handicapped in there to vote.

20 Because most handicapped -- I know -- I know
21 several people don't go vote because it's too big of a
22 hassle to get in and out.

23 So, I mean, if you want those votes, you need
24 to make a way for -- for it to happen. I mean, public
25 buildings, I know, in the rural area is hard to come by,

1 you know. You just got very few in-between areas and
2 voting areas.

3 But, you know, we -- you know, I feel like you
4 need to look at it, stand back and look at it and see
5 what -- you know, like I said, some people don't have the
6 funding to, you know, upgrade something, build a ramp,
7 because a ramp will cost, you know, quite a bit.

8 But if you want -- if you want voters, you
9 know, with a disability, you're going to have to -- you
10 know, we're going to have to start changing something.

11 MR. CONWAY: If I can give you one more example
12 of the predicament that election officials get in.

13 I have a brand new mental health facility, a
14 great building, available parking, completely accessible.

15 When the Federal government passed HIPPA, the
16 Health Insurance Private Portability Act, now the State
17 Department of Mental Health, even though it's a public
18 building, says we can no longer use that facility
19 because it violates Federal law.

20 So we're under the same limitations. And I
21 know a number of us are concerned about using armories and
22 those structures because they may be limited too.

23 So even as the access to public buildings go,
24 we're becoming more limited in those respects and trying
25 to find facilities that can accommodate everyone.

1 It is no excuse and we need to look at
2 solutions for those, and I'm sure we'll find some, and
3 hopefully with your comments we will be able to look at
4 this in more depth.

5 MR. JENKINS: I appreciate it.

6 SECRETARY BLUNT: We do appreciate your
7 comments and appreciate you coming in from the rural area.

8 MR. JENKINS: Thank you very much.

9 SECRETARY BLUNT: Thank you very much.

10 Next if I could call Rob Honan.

11 Mr. Honan is associated with the Governor's
12 Council on Disabilities.

13 Please, sir, go ahead.

14 MR. HONAN: I appreciate this opportunity to
15 provide some public testimony.

16 First of all, I am the Director of the
17 Governor's Council on Disabilities. We are out at the
18 Department of Labor and Industrial Relations.

19 And I do a lot of the work with a broad
20 coalition of persons with disabilities, cross-disability
21 groups, and voting is actually one of the things that I'm
22 working on right now.

23 I work with the Missouri Voting Disability
24 Right Coalition, as well as I'm on the Missouri State
25 Plan. I'm actually on one of the subcommittees on the

1 Provisional Voter ID and Database Subcommittee.

2 There is several things I just want to bring
3 up. And, obviously, I think you've heard some information
4 from the folks that have testified already.

5 One of the things that I think is critical is
6 to make sure we have some sort of a statewide training for
7 the poll workers.

8 I know that this is part of the State Plan and
9 part of the Help America Vote Act is to try to make some
10 of the things as uniform as possible.

11 I understand there is a lot of local issues
12 still in place, especially as they are concerned with all
13 of the counties and election officials, but I think
14 statewide training for the polling workers is critical.

15 One suggestion I might make -- and I've talked
16 to some of the folks outside of the hearing for House
17 Bill 511, was I talked with a college student, and they
18 are very interested in helping out with the elections.

19 Understandably, when Mr. Jenkins testified,
20 there is a lot of issues as it relates to rural areas that
21 are hard to address, and that's understandable, but, if
22 possible, trying to incorporate, perhaps, college
23 students, and, if possible -- I understand the funding is
24 an issue, as well as maybe in the future the grand scheme
25 of things is trying to professionalize this to some

1 extent.

2 I think that most of the poll workers are
3 volunteers that maybe have a small stipend to try to
4 increase the competency of the individuals that work. Not
5 that they're not competent, but I think this is a big
6 issue, especially that relates to disability etiquette and
7 knowledge of how to work with people with disabilities.

8 Another issue that actually is -- that I'm
9 working on with this, is the non-supplementation clause,
10 trying to make sure that when we do get Federal money for
11 the local election authorities, trying to make sure that
12 that funding is not actually replacing what is already in
13 their budgets.

14 We want to make sure that that is in addition
15 to what there they're already working with.

16 Understandably, there is going to be some
17 budgets because of the tough economic times, that I --
18 that may not be where we'd like to see them, but the
19 nonsupplementation issue is really a big issue for me as
20 well.

21 I'd like to see again accessibility in all
22 public polling places. I know that -- I think having that
23 is a goal, is something to really strive for, and I think
24 this community -- or this committee should strive for as a
25 goal.

1 In addition to just physically accessing that,
2 I think we're going to have some folks also testify in
3 terms of the information technology as well, to make sure
4 that people who can cast private votes -- I think it's
5 also an issue that we can strive for as well.

6 And that's also a self-esteem and a dignity
7 issue, to allow people to vote on their own rather than
8 rely on assistance of others, although sometimes that may
9 be necessary as well.

10 I live in Jeff City right now, and, in fact, my
11 polling both -- or my polling precinct -- I should say
12 polling place, is nonaccessible.

13 And this is a really good size town, and I know
14 there are some other spots that are accessible, but this
15 is an example. We still have a long way to go.

16 And hopefully the money that we receive from
17 the Federal government can assist -- excuse me -- assist
18 all local voting authorities in this respect.

19 I think another thing that is really
20 important -- and I'm very glad to serve on the Statewide
21 Voting Committee.

22 I think maybe promoting some -- obviously, it's
23 something the local officials have to do, but trying to
24 assist them in any way to make sure that they have
25 citizens with disabilities on those commissions, as well

1 on the local level, to try to provide input on how to
2 improve the system, within the monies, of course, but I
3 think trying to work with the local officials to create
4 similar type advisory bodies from a local level as we have
5 in the State level, I think that's something that can also
6 be done.

7 Basically the people with disabilities, all we
8 want is to live in a life that is free of segregation.
9 Integration is the hallmark of good society, and I think
10 it is important that voting -- in the voting arena we have
11 that.

12 And I think that HAVA is an excellent piece of
13 legislation, and I'm on the State Planning Committee as
14 well, to do the best that we can to make sure all people's
15 voices are heard, including people with disabilities.

16 This is all I'm going to say.

17 If you have any questions, I'd be more than
18 happy to answer anything.

19 SECRETARY BLUNT: I'll just say a couple of
20 things, you know.

21 On issues of polling place workers, of course,
22 Missouri, they do receive compensation, but continue
23 support we do to augment that compensation, because
24 they're putting in a long day and everyone is making
25 democracy work and we need to reward that effort not just

1 through our words but through our deeds.

2 And I think most of us will probably share your
3 concern about HAVA money replacing existing support for
4 the election process.

5 I think we all need to watch to ensure that
6 that doesn't happen. I think there are efforts, perhaps,
7 in the Legislation to help ensure that doesn't happen.

8 If the State level were actually required to
9 compute what we call the maintenance of effort, which is
10 essentially what we spent on elections in the last fiscal
11 year that ended right before the November 2000 election,
12 and we'll need to -- in order to match Federal funds, we
13 can't go below that maintenance effort amount.

14 So there is a safeguard there. But the best
15 safeguard is going to be vigilant citizens trying to
16 ensure that the HAVA money does lead to improvements
17 rather than a maintenance of the status quo.

18 MR. STOFF: You made comment that echoes
19 several comments that have come out today and at the
20 hearing in St. Louis.

21 And there was one lady in St. Louis who
22 expressed it very eloquently, I thought.

23 She is visually handicapped. And her comment
24 was that she has never had the opportunity to cast a
25 secret ballot independently.

1 And she was quick to comment. It's not that I
2 don't trust the person who helps me and it's not that the
3 election authorities aren't sensitive to making the
4 polling place accessible; but the fact remains, I've never
5 had a chance to do that, and I should have that
6 opportunity.

7 And I think everyone agreed with that.

8 Our real challenge, I think, as a committee and
9 in the recommendation to the Secretary of State is to find
10 creative ways to do this with the relatively limited funds
11 that are going to be available. And that doesn't mean we
12 can't accomplish that.

13 One of the real insights I'm developing from
14 serving on this committee in terms of worker recruitment
15 and training, we have several young people from the
16 University of Missouri who are serving on the committee,
17 and it's kind of interesting to watch the dynamics in the
18 sense that young people bring an entirely different
19 perspective to the table. And some of the more senior
20 members of the committee, you can almost sense sort of a
21 resistance at first until you listen to what they have to
22 say.

23 Because they do have good ideas, and they are
24 bringing some ideas to the table in terms of recruitment
25 that we had not thought about.

1 One of the neat things that came out of the
2 St. Louis hearing was after the hearing, one of the
3 administrators at the University of Missouri-St. Louis who
4 has a very, very long title, but I don't remember it, but
5 the point is, he said we would have an interest in working
6 with the election board in trying to help term -- he used
7 professional training programs, not only looking at what
8 you currently do in terms of training but in trying to
9 work with your poll workers to help them become more
10 comfortable and to help design materials that would be
11 user friendly for them, so that they, in turn, can be more
12 sensitive to the voters that come to the polling place.

13 We have a real challenge -- I don't think it's
14 peculiar to St. Louis City -- in recruiting poll workers.
15 Part of it is financial. Part of it is sort of the times
16 in which we live, with so many people working.

17 But at the same time there are outreach
18 programs that we have not effectively utilized that we're
19 beginning to see by virtue of the comments that we're
20 receiving at the hearings and the people who are serving
21 on the committee.

22 So I think at least in St. Louis City we're
23 real enthused about what we're hearing and some ideas that
24 are going to be forthcoming. So I think your comments are
25 on target.

1 SECRETARY BLUNT: We certainly appreciate your
2 testimony and appreciate your participation in this.

3 MR. HONAN: I do appreciate the opportunity to
4 speak today, and I believe this is an excellent step
5 forward.

6 And, understandably, the funding issue is going
7 to be one of the major barriers with which we have to work
8 with, but also, I think, using the disability community as
9 a creative outlet in getting participation from us will
10 assist in the process.

11 So please don't be afraid to, you know, call on
12 me or call on anyone else with disabilities and others on
13 the committee. I'm very happy to be able to testify in
14 support of all of this.

15 Thanks a lot.

16 SECRETARY BLUNT: Thank you.

17 MR. CONWAY: Thank you.

18 SECRETARY BLUNT: Thank you.

19 Next if I could call Wendy Noren, the Boone
20 County Clerk.

21 MS. NOREN: I'm Wendy Noren. I'm the County
22 Clerk.

23 There is a couple of things that I am a member
24 of, the State Planning Committee and I'm on the Education
25 Subcommittee.

1 But I didn't know given the time frame we've
2 got ahead of us and all of the work we have to do, what
3 opportunity we were going to have, if we were a member of
4 one committee, to have input on the other committees.

5 As background, I think more than anybody else
6 in this room, I have been working on HAVA and spent a good
7 part of the last two years as part of a working group, as
8 part of a national commission, looking at election reform.

9 Prior to that I was on the National Task Force
10 with the disability groups, trying to address some of the
11 issues that we discussed today.

12 I have spent literally hundreds and hundreds of
13 hours the last two years with election officials,
14 congressional staff, on some of the congressional --
15 senators, some of the reps, principals in the development
16 of HAVA, as well as members of the Carter Ford Commission,
17 the Caltech/MIT Commission and studying a lot of the
18 issues involved.

19 I live, breathe and died, and I'm so sick of
20 talking about election forms. I just want it to happen.
21 There are days like we've talked about it so much.

22 There is some issues that I think need to be
23 addressed as we move forward with this State Plan.

24 I am not on the State Database Committee, but I
25 hear a lot from other states and some of the people from

1 this state as to what this entails, and I think there is a
2 lot of confusion about it.

3 If you take the basic premise that HAVA, the
4 original drafters of this, took the Carter Ford Commission
5 recommendations and applied it to Federal law.

6 You go back to that document and you look at
7 what they wanted to accomplish and what they wanted to
8 address.

9 At some point at least one staff member came to
10 think ahead to me in an online system with everybody
11 connected.

12 But most people agreed, the model, the Carter
13 Ford Commission -- in fact, the members of the Carter Ford
14 Commission say the model was the Michigan voter registered
15 system, where data moved hopefully seamlessly from NVRA
16 agencies, such as the Department of Motor Vehicles, DFS,
17 disability agencies, through the State's system to the
18 local officials.

19 In fact, the Carter Ford, their main
20 recommendation is that all State agencies check voter
21 registration information, collect residential addresses,
22 so we can process it, collect signatures, so we can
23 process it and store that data.

24 That was the primary thing that we -- to reduce
25 redundant collection and processing of information, and

1 this is why they felt that the Michigan system had
2 accomplished that.

3 One of the things about Michigan that made it
4 an advantage is that DMV is under the control of the
5 Secretary of State. It's not a separate agency. The
6 other reason it has had strong bipartisan support, all of
7 us have thousands of records on our file that no longer
8 live there.

9 I think if you look at Missouri data, that
10 47 percent of the people do not live in the same house
11 they lived in five years before.

12 So you can really anticipate that between
13 presidential elections, over 40 percent no longer resides
14 at their address.

15 This movement, this high mobility, and in
16 counties such as mine and probably Richard's, those
17 numbers exceed 70. Over half of my population did not
18 live in my county five years before.

19 The mobility that we have in our society, this
20 central database, hopefully, is designed to address by
21 easing the workload of local election officials and
22 transferring those data from jurisdiction to jurisdiction
23 to the use of State databases, State agencies that are
24 collecting this and moving this data through.

25 Somehow or other this was broken down into a

1 fight as to whether this has to be an online system, where
2 everybody has to use the software, la, la, la.

3 I think Missouri needs to take some leadership
4 in trying to break out of this.

5 I want to use an example of when the Federal
6 reserves started ACH processing, direct deposit payroll,
7 those kind of things, they didn't go out and tell every
8 single entity in the world, if you want to do a direct
9 deposit, you have to have exact same software.

10 And there are still a million different payroll
11 systems out there. There is only one transfer-of-data
12 element file that goes through.

13 And for 15 years I've been moving that file
14 every other Thursday to my bank; it goes to the Federal
15 reserve bank and out to the 40 or 50 other banks around
16 the country.

17 What I use on the front end doesn't matter.
18 It's what we use in that packet of information is
19 accurate.

20 I think we need to look to business models like
21 that to find the most accurate.

22 How in the world does NASDAQ process millions
23 of computer transactions in the course of a trading day?

24 Every broker doesn't use the same front-end
25 software, but every data packet that goes out and is

1 picked up by the NASDAQ system is that way.

2 This is what we're striving for not only from
3 the local officials to the State, but from those State
4 agencies that are required to pick up and process voter
5 registration applications back to us.

6 Why are they entering some of the data and then
7 it comes to us and I have to re-enter the data? All of
8 this -- the goal of the Carter Ford recommendation and the
9 Caltech/MIT report was to have this data moving in packets
10 through the State system between these agencies back to
11 the local officials and from the local officials back to
12 the State, so you can get rid of duplicates, so there
13 would be better processing of felony convictions.

14 And throughout, using all of that State
15 agencies, I think that's the goal we ought to go for, what
16 we ought to look for.

17 Fighting over what the funding is going to be
18 is a waste of money and a waste of time. We have business
19 models to look at where really that front end doesn't
20 matter. It's what packet you move and how you set up the
21 communication system to do it.

22 Another example, I have, you know -- I guess I
23 have AT&T for my long distance. However, that long-
24 distance bill from AT&T shows up on my Horizon bill.

25 It doesn't mean that Horizon and AT&T have to

1 use the same software, the same computer. That stuff
2 moves back and forth.

3 But I think we need to watch that we -- you
4 know, voter registration is more than just a list.

5 Many of us develop sophisticated election
6 management systems, that if we focus on replacing them
7 with -- you know, with a single online piece of software,
8 we're going to do a lot of damage.

9 For example, I'm one of only a couple of people
10 in the country who let people get on and submit a change
11 of address to me over the Internet.

12 We still process it separately. It's not
13 automatic. But I can't take the phone calls I have to
14 take on election day to process.

15 But I will tell you, over 40 percent of the
16 change of addresses in my county came from the Internet
17 last year that we processed.

18 That walks out the barn. The State comes in
19 and says you can't do that any more.

20 We're going to have some serious problems in my
21 county of people who have gotten used to this, accept the
22 convenience of being able to do this 24 hours a day.

23 Jackson County and myself have developed paging
24 systems. I'm going to be having laptops at our polling
25 places, starting next year, with online access to my

1 database, so I can handle the volume of changes I need to
2 do on election day.

3 Again, I hope we don't focus on what you have
4 to have at the front end, but moving the data that we need
5 in an efficient manner should be the focus of that State
6 database.

7 I'm not on that committee, but Charlene Davis
8 heard my spiel on this many times. She's one of the
9 co-chairs on this.

10 The next issue is equipment and access issues.

11 And I think as I worked on the national
12 division and the national task force for accessibility in
13 elections, I heard all of these issues that you have been
14 hearing on disabled access.

15 It's clear to me -- and look at the census
16 data -- that a number of people with disabilities,
17 certainly, they have focused many of the efforts of HAVA.

18 There is no question that a huge group that
19 Congress wants to address were the issues faced by people
20 with disabilities.

21 There is grant money that is going to be
22 available. I think they did 10 million of the 20 million
23 authorization.

24 Clearly, that's not going to be make every
25 polling place in America accessible.

1 The 10 million is going to be administered
2 through HHS. We have to be ready to get that money, is
3 going to go to the people who are ready, anticipating
4 this.

5 Last year I did the survey, went through, had
6 the survey of the National Task Force on Accessibility put
7 out in the FEC, sent to every election official two years
8 ago. It is a time-consuming detailed survey.

9 I will say I contracted at the University.
10 They have now taken pictures of my polling places, the
11 parking, the entrance.

12 They made recommendations on better
13 accessibility areas, equipment I need, whether I need just
14 to repaint some lines, which room we need to go in, how
15 many plugs, all of these things.

16 And they did it for 40 polling places and have
17 now created website links for me. So my voters will be
18 able to click on their registration record. They can go
19 look at that polling place and determine whether or not
20 that polling place meets their accessibility requirements.

21 But I also have the basic data I need to apply
22 for the HHS grants as soon as those things get out there.
23 Most of the election officials in the State do not have
24 that. They don't have that information available to them.
25 They haven't been able to even identify what they need in

1 these polling places, whether it's a simple, put a sign up
2 with the accessible parking lot, get better signage to the
3 doors, a railing on the pathway, all of these types of
4 things.

5 I think if the studies are done, many of them
6 would be surprised how inaccessible some of their polling
7 places are. You may think they are because of the door or
8 not -- not stairs to the door, but when you get into
9 interior hallways, trying to turn, the doors that are
10 closed at the schools of the church keeps closed all of
11 the time. These are issues, small issues.

12 Like, I talked to the school district the other
13 day. All of the buses block the accessible path, and so I
14 said to them, you have got to keep those buses away on
15 election day.

16 You know, I can't have a voter sitting in the
17 rain for 45 minutes while the buses unload because the
18 only accessible pathway to the door is that. And they've
19 agreed to do it.

20 But until that study was done, I didn't know
21 this was going on.

22 And so we need a lot of education on this.

23 In the area of equipment, this is an
24 interesting issue. Clearly we'll need to have the ability
25 to provide everybody with the secret ballot.

1 The issues involving this are huge, where we go
2 on what we're going to do with the requirements funding,
3 which is the vast bulk of all of the funding is to go to
4 pay for requirements such as this.

5 Basically, we've got two models that we're
6 working with that we've seen, and we can either follow
7 some of those and/or we can think of some of our own.

8 Some counties went with the blended/optical
9 scan ballot counties, plus 1 DRE, which is the minimum the
10 law is going to require from us of the polling places.

11 Those issues include, you have to train your
12 pollers to set up two different kinds. You have to have
13 software that merges the data, two different kinds of
14 systems. You have to craft it.

15 In fact, for those of us who studied the 2000
16 election, the worst conducted election as far as balloting
17 equipment was not in Florida -- it was not the punch
18 card -- but was in Albuquerque, New Mexico, where the
19 ability to blend both the DREs with an optical scan
20 totally fell apart. Trying to get the data on both of
21 those systems was the worst.

22 So those are huge issues if you go with the
23 blended model. You could also go to all of DREs, but we
24 have significant training issues involved in that.

25 Clearly, those of us who watched what happened

1 in Florida last September at the primary, in Miami-Dade
2 and Broward, the meltdown because the number of resources
3 necessary to implement that were not allocated to those
4 counties.

5 In order to be successful, basically the entire
6 emergency management system in South Florida had to be
7 designated to the conduct of that election in order to
8 make it work.

9 Georgia took another route. They bought all
10 one system and implemented it statewide. It's another
11 model. Everybody uses it, the same thing.

12 There is a problem there though. They had one
13 training program. They had one vendor to hold to the
14 fire. They had Kennesaw State University develop training
15 for voters, for poll workers, and by all accounts it was a
16 success. It was a beautiful job.

17 In the hidden lining there, though, it was all
18 vendor revenue, and that vendor is not going to be there
19 in 2004.

20 Issues such as developing the audio ballot for
21 computerized equipment are way beyond the technical
22 expertise that any of us have available to us at a local
23 level. I'm talking about the primary.

24 And I have 1,500 different styles of ballots,
25 and of which we have to make wave files available for, to

1 make it available, is not something I have the technical
2 expertise to do.

3 And, in fact, some of the stuff has to be
4 rigged in order to do it.

5 These are huge issues above and beyond the 50
6 to \$70 million price tag for the equipment that we need to
7 address. The monies is not going to be there for all of
8 this.

9 If we went with the blended model, you could
10 look at somewhere between 39 and \$50 million is what it's
11 going to cost. If we went to all electronic to meet our
12 current requirements of how many devices to put at each
13 polling place, based on our number of precincts in this
14 state, in excess of \$70 million.

15 That's more money than we're getting. And that
16 doesn't include the ongoing 15 to 20 percent in ongoing
17 maintenance costs that you'll have to pay or all of the
18 other support you're going to have to have.

19 SECRETARY BLUNT: Can you repeat those
20 estimates, those numbers?

21 MS. NOREN: Somewhere between 39 and 50 to have
22 the blended based on cost estimates I've gotten in our
23 number, in our precinct. It's over \$70 million for all
24 electronic if you want it. And I'll tell you, that's
25 based on our one machine.

1 MR. STRUECKHOFF: Can you really have all
2 electronic, because you still have to mail ballots out?

3 MS. NOREN: You still have to have designed
4 some kind of an optical scan or a punch card, some type of
5 paper system to do absentees. You still run into the
6 blended, to having the software do it.

7 These things -- none of us are set up to do
8 this kind of thing or have been -- you know, it is
9 difficult enough for us to get one kind of ballot put
10 together and out there. And we're looking at no matter
11 what, too, one for absentee, one for DRE.

12 MR. STRUECKHOFF: Wendy, in the systems that
13 you've seen as far as an audio ballot, whose voice is
14 used, where is the recording being done, or is it a
15 computer, computerized voice?

16 MS. NOREN: I've seen it done all different
17 ways. Sometimes the vendor has done it. Sometimes the
18 local election authority has done the recording.
19 Sometimes they've gotten radio personalities who have a
20 good voice to do it.

21 MR. STRUECKHOFF: It can't be computer
22 generated?

23 MS. NOREN: I don't know of any that has done
24 that.

25 MR. STRUECKHOFF: Because I share a concern,

1 when you said in a primary election, you have 1,500 ballot
2 styles, we probably have more than that.

3 MS. NOREN: Well, St. Louis County, you know --

4 MR. STRUECKHOFF: How would you ever record all
5 of that information?

6 MS. TAYLOR: We would do it.

7 MS. NOREN: Well, we're going to have to -- you
8 know, the point is, that that argument is past.

9 This is what it says. This is what our
10 planning committee has to address, though, how are we
11 going to do this, how are we going to make this possible,
12 and what technical expertise do we need to provide to
13 local election officials, where do we need to hold vendors
14 to the fire, what are we going to have them provide, what
15 are we going to be able to provide.

16 Those are all issues that the Equipment
17 Committee needs to address. It's not just a matter of,
18 well, we'll do this by this date or this by this date.
19 This is, let's look at what is involved in this, because
20 it's way beyond that.

21 I'm on the Education Committee, and we talked
22 last time, poll worker education. Some of what we
23 recommend is going to have to be based on what that
24 Equipment Committee determines.

25 We can't start looking at how we're going to

1 design things until we know, are we going to have two at
2 each polling, different kind of things, are we going to
3 have these kind of things. So that we have -- we have a
4 lot of other issues that are going on there.

5 This stuff has not -- to a great extent, I see
6 some vendors here. I always say things that make them
7 mad. But, frankly, a lot of the stuff hasn't had the
8 field testing we need.

9 For example, in South Florida the fact -- I
10 mean, this stuff had all been through the DRE, the old
11 standards, tested, independent testing, everything, gets
12 out to a polling place and there is no indicator to tell
13 whether it has moved to battery power or not.

14 A few hours after the poll is opened, these
15 judges hadn't plugged the plug in. They didn't know it
16 was running on battery, and the whole thing stopped.

17 Well, the vendor very quickly adjusted it and
18 altered the equipment. Now it has a battery in it, so the
19 poll workers know when it's moved to battery.

20 These are the kind of things that you're going
21 to find that you can't find in testing that we're going to
22 see as this process develops.

23 In addition, Missouri has two representatives
24 on it. HAVA anticipated the development of standards,
25 before it went out and bought this equipment.

1 Unfortunately, the EAC has not been appointed
2 yet. The startup on developing those standards has not
3 even occurred yet.

4 We don't know what standards they're going to
5 have. We don't know whether the equipment today is going
6 to meet the standards that they're going to develop.

7 A huge criticism of the current FEC standards
8 is for lots of areas in the testing process.

9 I think Ted Selker at MIT stated that, you
10 know, the testing process spent more time determining
11 whether this stuff could be developed there from a 20-foot
12 height and survived as it -- as to whether or not the
13 voter can use it or whether or not -- the underlying
14 software.

15 We have issues on touch screen as, you know,
16 sometimes the stuff moves. You have to calibrate the
17 stuff.

18 Do we know how often you have to calibrate
19 this? Where are the management standards we need to make
20 sure that if, in fact, this equipment needs to be re-
21 calibrated every 200 voters, it gets done during the day.

22 These standards have not been sent. As a
23 result of all of this, I would say that we need to really
24 look at how we approach this.

25 I would recommend that we gear towards 2004 in

1 trying to address some basic disability needs. Maybe take
2 10 percent of our polling place, or at least one precinct
3 in smaller counties, where we lease a DRE from and use
4 several of the vendors, so we can evaluate them. This
5 would provide some accessibility access.

6 I think those are also what we might need to
7 maybe get the Legislature funding the other portions of
8 early voting for next year, if we use some of this money
9 committed, to have some of these DREs. We could also use
10 it for an early voting program, which would reduce the
11 pressure on us at the polling place and on presidential
12 election, if we had the equipment and used that.

13 I think we, you know, clearly have to determine
14 all of these underlying costs. We have to evaluate what
15 each of these equipment are and we need to wait for the
16 standards.

17 I would hope that we aren't going to rush out
18 and buy all of this equipment by 2004.

19 I think we're going to have better equipment.
20 I think that the vendors are going to respond to the kinds
21 of field testing. I've seen them do it in the past.

22 I think once we have fuller roll-out -- I mean,
23 we have issues as -- you know, in Colorado, you know,
24 there were 4 or 500 votes that disappeared into a subfile
25 for three weeks that nobody knew were there. The vendors

1 addressed that issue.

2 But until you get this stuff out, I don't want
3 us -- as one of my friends said in Florida last September,
4 I don't want us to be on the bleeding edge. Let somebody
5 else do all of the testing on that.

6 I think we can meet some basic goals. I think
7 we can have a very small level of each of us having some
8 experience with DREs next year, so we'll know what each of
9 us need to with our own operation, what kinds of issues
10 will be involved before we fully implement it.

11 Finally, I want to talk about funding, budget
12 and cost allocation.

13 The disappointments I have -- I shouldn't have
14 said this at first.

15 I want to really thank the Secretary of State
16 for what a broad base of people you've brought together in
17 committees.

18 I'm co-chair and I act on the National
19 Association of Resource and Review Committee that is
20 trying to keep track of what these State Plan Committees
21 are doing.

22 And I think you will find that Missouri's State
23 Plan Committee is the broadest based and has local
24 election officials, it has disability groups. We may be
25 impossible and have a terrible time getting along with

1 each over the next six months, but it is to Missouri's
2 credit that he didn't just go out and say, I'm only going
3 to work with local officials, and he didn't go, I'm only
4 going to work with party people or disability groups.

5 But he is bringing us all together to try and
6 resolve these. And I think, from what I can see, it is
7 the broadest-based committee that I've seen in the
8 country.

9 So I wish to congratulate you on that.

10 The one criticism I have -- I hope it's just an
11 oversight -- we have no committee looking at funding,
12 budget, cost allocation, finance.

13 As I have said, there are huge sums of money
14 out there that are never going to come from the HAVA
15 funding pool.

16 Who is going to pay for the balance of this?
17 The State says they have no money. The counties, we have
18 less money than the State, quite frankly. The State
19 hasn't missed a payroll yet. I know of one county last
20 September that couldn't make their payroll until the sales
21 tax dollars came in.

22 Who else pays for elections? The schools, the
23 municipalities, the special districts? These are huge
24 cost impacts for them.

25 The Florida counties are now seeing double and

1 sometimes triple the cost of conducting an election,
2 whether it's a blended model or whether it's a full DRE.

3 These kinds of things we can't -- our smaller
4 jurisdictions -- well, none of us. We're going to have to
5 figure out a way how to finance the purchase of all of
6 this equipment.

7 I would like to see us look at some kind of
8 financing. That is what the Caltech/MIT report
9 envisioned. It talked about this Federal money being a
10 capitalization fund, that the states use that money to
11 leverage, to borrow, to spend the money over a period of
12 time.

13 Who is going to pay? Do we need some financing
14 people? This -- how do we finance purchase this? How do
15 we allocate the cost?

16 Is it all -- is it going to be whatever the
17 State doesn't pay for, the county has to pay. I don't
18 think that's possible.

19 I think maybe we want to look at a model like
20 we did when we had the equal protection problem with our
21 tax system in this State, where for the assessment
22 maintenance fund, everybody who is a part of the property
23 tax system pays to administer it.

24 We need to bring the schools and the
25 municipalities and the State. Everybody needs to

1 participate in the ongoing cost of this.

2 So if I had to make a recommendation on that, I
3 really think we need some kind of finance committee
4 looking at these issues, because there are a lot of -- not
5 only initially how can we best leverage what money we're
6 going to get from the Federal government, but, also, how
7 are we going to make this long term.

8 All of the congressional people say, you're not
9 going to get any more than this. This is it, you know.
10 We've done our part. We've washed our hands. We can now
11 say, you know, don't blame us. We gave out X billion
12 dollars and left it.

13 But the long-term costs are very high. I
14 didn't address any education issues because I'm on that
15 committee.

16 The accessibility issues, again, I think we try
17 to make sure our counties are ready to apply for those
18 grants, and that can only be done if we start fairly
19 quickly in identifying what our polling places need.

20 And I know from my experience with some of the
21 survey stuff, I just didn't have time for it, which is why
22 I ended up contracting it out. And that is very
23 beneficial to do.

24 I know I took a lot of time, but --

25 SECRETARY BLUNT: No. No. Those were great

1 comments and I appreciate them, and I appreciate your
2 comments about the broad-base nature of the State Planning
3 Committee.

4 And I think Missouri can take pride in the fact
5 that we do have a State Plan Committee that I believe may
6 be the most diverse in the entire country.

7 The comments about the centralized voter
8 registration database, I appreciate those. I think that
9 may be the area in terms of meeting compliance with the
10 Federal law that we have the furthest to go.

11 You know, we can also take pride in the fact
12 that we have met many of the mandates. The provisional
13 balloting, we're very close to Federal law. We meet the
14 identification requirement.

15 But certainly in terms of the CVRDB, I don't
16 believe that's where we need to be yet.

17 And one thing I do want to be able to provide
18 people that come here and ask for a list of registered
19 voters is something that approaches an accurate snapshot
20 for who those registered voters are, and we're not able to
21 do that today.

22 And so discussions about how we can get close
23 to that and do so in a way the local election authorities
24 can work with is important to me.

25 Your equipment comments I think were important.

1 You and I have talked in the past and agreed that the
2 future is going to hold both better election equipment and
3 less expensive unit cost for that election equipment, and
4 that is part of the reason why I never thought Missouri
5 should have made this knee-jerk investment in election
6 equipment that I think other states did after November of
7 2000.

8 You know, EAC standards, there is a strong
9 argument to wait until we have some sense at least of what
10 they're going to say.

11 We've got two members -- one of our two members
12 to the National Commission here, and I asked you, you
13 haven't been notified when your meeting will be. Correct?

14 MS. BERRY: No.

15 SECRETARY BLUNT: So we're certainly a long way
16 for them issuing some kind of standards.

17 One thing I notice that you didn't mention in
18 your comments which was contained in your testimony
19 related to paper audit trail.

20 MS. NOREN: That is an issue that most recently
21 came up in California.

22 SECRETARY BLUNT: I think it came up in
23 California studies, where you had computers and demanding
24 that there may be some sort of paper ballot.

25 When we were doing our testimony around the

1 State in 2001, everywhere we went somebody said they
2 didn't care what kind of election equipment we went to, as
3 long as there was some sort of paper ballot that could be
4 reviewed and counted.

5 And I think that's an important issue, and
6 there aren't a lot of systems out there that do produce --
7 not a lot of DRE systems that do produce a paper ballot.
8 And, again, costs becomes a real issue with those systems.

9 And with regard to finance, really it's
10 something we ought to consider in terms of whether there
11 should be a subcommittee on that.

12 It's always been my intention that the
13 individual subcommittees would analyze the financial needs
14 to fulfill their mission and would be very thoughtful
15 about how we perpetuate the Federal funding.

16 I'm very interested in a revolving loan program
17 for local election authorities to try and keep that money
18 alive. Because you're right. This is not a one-time
19 investment in the election process. There is going to be
20 a continual need to upgrade an enhanced improvement
21 systems decades ahead, and we want to do everything we can
22 to ensure that we carry that money on out into the future.

23 But I appreciate your comments. They're very
24 thoughtful and well made.

25 Anybody else?

1 MR. STRUECKHOFF: I'll talk to her later.

2 MR. CONWAY: Do you have any good news?

3 MS. NOREN: I do. I think if we really -- I
4 think we can meet a lot of needs.

5 My one concern is this big pot of money.
6 They're expecting a lot out of us. It's not enough to do
7 everything they want us to do, but it's so much money you
8 can't sit back and say, well, I can't do anything.

9 But I really think that what is exciting to me
10 is there are people actually talking about it. There are
11 scientists looking at this.

12 The very fact that you have people at Caltech,
13 Stanford, MIT, looking at our systems.

14 It was all -- you know, I've been in this
15 business 25 years. It was all election officials and the
16 small group of vendors, trying to think of better ways to
17 do it and stumbling around in the dark.

18 None of us, you know, were really experts in
19 some of these areas, and there is a tremendous amount of
20 research going on that never, never occurred before. To
21 me, that's what is exciting.

22 But, you know, that is why I'm concerned about
23 running out and buying. Some states have done it right
24 now or believing that's what we have to do.

25 Because this -- this -- these concepts are just

1 starting to bubble up. I mean, it really has only been in
2 the last three weeks that the Stanford group came out on
3 what to do. But that has huge issues itself.

4 SECRETARY BLUNT: There is stuff on the
5 market today that wasn't on the market yesterday. I mean,
6 there has been substantial improvements just in the past
7 two years.

8 MS. NOREN: No question about that. And we'll
9 be much better when we get human factor research done.

10 I didn't know there was such a thing as human
11 factor research, and now you all are going to be working
12 on developing those standards, and it's a fascinating
13 field of study.

14 But these things are going to occur over the
15 next couple of years, and we can benefit from that.

16 How will we design our ballots, given the fact
17 that the way I laid my ballot out may change the way
18 people vote? It's a very interesting concept. And we'll
19 be able to benefit from a lot of this that is going on.

20 SECRETARY BLUNT: Thank you.

21 The last person who has submitted a witness
22 form is Delores Hampton, affiliated with Missouri Planning
23 Council for Developmentally Disabled.

24 MS. HAMPTON: Hi. I'm Delores Hampton with
25 Missouri Planning Council for Developmental Disabilities,

1 and I'm here today to talk with you about some of the
2 barriers that individuals with developmental disabilities
3 face in participating in the voting process.

4 The Planning Council, too, would like to thank
5 the Secretary of State for including us on the State Plan
6 Committee. Your willingness to listen to the concerns and
7 the issues faced by people with disabilities is extremely
8 appreciated.

9 People with disabilities want to have the right
10 to exercise their right to vote just like everyone, the
11 rest of us do, and there are issues and barriers that
12 prevent that from happening.

13 So thank you for being open to hearing those
14 things.

15 I want to talk to you first about a couple of
16 individuals. Actually one person is a self-advocate, an
17 individual with a disability who serves on Missouri
18 Planning Council, and he could not be here today but asked
19 me to talk with you about some of the issues that he faces
20 in trying to vote in Rolla, Missouri.

21 First of all, this individual uses a
22 wheelchair. He has cerebral palsy, so he has some
23 mobility problems with his hands as well.

24 He says he has to go in the back door to get
25 into the polling place, and sometimes that it's kind of

1 steep back there, so he has difficulty with that as well
2 if it's slick or if it's snowing or something like that.

3 Once he gets inside the polling place, the
4 equipment, the stylet he uses to punch the card is too
5 small for him to use with his hands.

6 He does have a personal care assistant, and
7 that individual is allowed to assist him. But he says he
8 can't get his wheelchair up to the polling place, to the
9 booth itself. So he has to just vote out in a public area
10 and does not have privacy of the polling place.

11 So his wish is to be able to cast a private
12 ballot just like everybody else.

13 Then I also have an individual who serves on
14 the Planning Council whose daughter experienced some
15 cognitive disabilities. She is a registered voter. She
16 is so excited to participate in the voting process.

17 The family always gets the sample ballots in
18 advance of the election. They spend a lot of time over
19 dinner talking about the issues on the ballot, reading
20 them to their daughter, making sure she understands that.

21 And this past year when she went to vote in
22 Kansas City, the election judges would not allow her
23 mother to go into the polling place to assist her.

24 And they had always done that in the past, and,
25 as I said, they spent a lot of time going over the issues.

1 So it was kind of intimidating for her daughter
2 and took away a lot of the privilege that she had
3 participating in the voting.

4 So it's very important that election judges --
5 I think the standardized training for election judges
6 around the state is a very, very important piece, and that
7 election judges just have to be aware of the voters rights
8 in the polling place and what can occur this.

9 So just some general sensitivity issues about
10 how to deal with people with disabilities, how to talk to
11 them, how to use appropriate language, those kinds of
12 things we feel will also be very important.

13 Thank you.

14 I think you've heard from a lot of people who
15 have already testified about some of the other issues that
16 people with disabilities face. So we appreciate your
17 consideration of that, and, again, we would also like to
18 offer ourselves as a resource if you'd like to hear from
19 people with disabilities about some of these things.
20 However we can assist you in working these issues out, we
21 are willing to do that.

22 SECRETARY BLUNT: That's a good point,
23 etiquette to use with people who do have a disability.

24 What sort of information is already out there
25 produced and could be utilized by local election

1 authorities?

2 MS. HAMPTON: A statewide advocating
3 association with people with disabilities called People
4 First, and there is a lot of national publication and a
5 lot of local publication on people, first language, how to
6 use -- you talk about the person first, not the
7 disability. But you recognize that is an individual
8 first.

9 And there are a lot of resources out there as
10 far as helping with that sensitivity training and talking
11 with people about the proper way to address. We'd be
12 happy to work with you on that.

13 SECRETARY BLUNT: I'm sure local election
14 authorities sort of integrate into their training that
15 they're willing. It would be helpful to them.

16 Thank you very much for your testimony here
17 today.

18 MS. HAMPTON: Thank you.

19 SECRETARY BLUNT: Is there anybody else that
20 would like to offer any comments or testimony?

21 Yes, sir.

22 You're fine from there.

23 MR. JENKINS: What I'd like to ask you, do you
24 realize how many disabled people are in Missouri, you
25 know, the percentage?

1 MR. STRUECKHOFF: I pulled up the figure from
2 the last census, and it's in the hundreds of thousands.

3 MR. JENKINS: Out of those 100,000 that aren't
4 registered to vote, and those who are not registered to
5 vote because of not being able to get to a poll to vote,
6 this is where you need to look at.

7 I mean, you heard our testimony on how hard it
8 is in some places to get to. Like I said earlier, we are
9 getting frustrated that, you know, we've got -- we've got
10 accessibility to different buildings but not to somewhere
11 where we can vote at.

12 Yes, the bigger city has places where -- you
13 know, they got wide sidewalks, they have ramps, they've
14 got the money and capability of doing it.

15 But other areas, I mean, here, surprising, in
16 Kansas City, will not let somebody vote. Now, that's --
17 that's against the law right there. Everybody has a right
18 to vote.

19 And if you're wanting votes, we have to make
20 changes in the way the system is. And you can't rely on a
21 church building or a house, you know.

22 Just up the road from me in Texas County they
23 use a person's personal house to vote in. They -- the
24 requirement, they don't have to have accessibility for
25 handicapped. It's a house. It's a residence.

1 And, you know, that's only five miles,
2 six miles up my road that they're using a house to vote
3 in.

4 You know, that's not -- is that considered a
5 public building? That's -- that's a private home.

6 SECRETARY BLUNT: And certainly the local
7 authority, it's defined places to utilize as polling
8 places, especially in rural areas in the state and really
9 throughout the State of Missouri.

10 But I think your testimony and the testimony of
11 others is helpful to us because as we try and move
12 forward, ensuring that polling places are indeed as
13 accessible as possible for all registered voters in our
14 state, people that it ought to be, registered voters.

15 MR. JENKINS: One problem I see a lot, we're
16 not dealing with the public issues with Ozark Independent
17 Living.

18 People that doesn't have a disability doesn't
19 realize what we go through.

20 Before I was ever in my wheelchair, I didn't
21 know what -- I didn't know what a person had to fight
22 through just to get somewhere in a chair, or somebody who
23 has another disability. You never know.

24 I mean, when I get out of my chair, I look at
25 my town a whole different way. You can't get up -- in my

1 town in Cabool, the nearest town to me, it is -- it was
2 so -- it's so far away from -- for access for disabled
3 people, you know.

4 And a lot of towns, you know, are growing and
5 getting things accessible, but we're far -- I mean, we're
6 far from it.

7 I mean, you know, I can go to Springfield or
8 Kansas City or St. Louis. We're not up to date, people,
9 on disability rights here. I mean, you know, you can't
10 just come down to this building from the court -- from the
11 State Capitol, you know. It's not accessible.

12 We wanted to walk down here, and try to do it
13 in a whole chair.

14 And I'm not saying because, you know, of the
15 hills. I'm saying the curbs that we have. You know,
16 going over a curb that -- actually, going in the front of
17 the building of the Capitol, they should have a ramp
18 there, but it don't. You know, you have to step down off
19 of the curb.

20 So, I mean -- but you don't realize it because
21 you're walking, not being in a chair. And somebody else
22 who has, you know, a handicapped and hard to walk, you
23 know, that is difficult for us.

24 SECRETARY BLUNT: That is why your testimony
25 is -- precisely why your testimony is so valuable to us,

1 because we don't have those experiences and can only
2 empathize with the challenges you face.

3 And it's why your testimony is so valuable as
4 we try and move forward and do a better job of meeting the
5 needs of people who do have a disability.

6 MR. JENKINS: And I appreciate it. I
7 appreciate it very much.

8 SECRETARY BLUNT: Thank you very much.

9 Yes, sir.

10 MR. JONES: Should I come forward?

11 SECRETARY BLUNT: Please, sir.

12 MR. JONES: I'm Bob Jones, Presiding
13 Commissioner in Cole County.

14 I apologize for not knowing more about the
15 money situation, but I have had a little bit of discussion
16 with our current county clerk, and we're really concerned
17 about how we'll fund any shortfalls that might come in
18 replacing the system that we've got.

19 We feel like we have a good system now, and if
20 we had to go and replace that entire system, it would be
21 very costly to us.

22 And the only way that we have to fund it, I
23 think, out of our -- our remedy sources would be out of
24 the general revenue fund. We just would not have the
25 money to do that.

1 So we really just want to make a statement that
2 certainly we would hope that serious consideration would
3 be given to the funding of the shortfalls that would occur
4 in the counties, because it would really be a big problem
5 for us.

6 SECRETARY BLUNT: Thank you.

7 And I think we all understand that it's going
8 to be difficult for local government or State government
9 to fill that gap, and there is not enough Federal money to
10 do everything that everybody in this room would like to
11 do, and how we meet that gap and do what we can with
12 existing funds is an important part of the discussion in
13 the State Plan process.

14 MR. JONES: My understanding, is it a one-time
15 shot if you don't take the money, that you don't have the
16 opportunity --

17 SECRETARY BLUNT: The money is -- Missouri is
18 qualified for a certain amount. We can access that money
19 any time in the immediate years ahead. But once we've
20 taken the money, there is not going to be another
21 appropriation.

22 MR. JONES: Okay. I just wanted to make sure
23 that we were heard on the funding shortfall.

24 SECRETARY BLUNT: I appreciate you being here.

25 Anybody else?

1 Thank you for your attendance here today. We
2 are very grateful for the testimony that was offered by
3 those that participated.

4 I think the State Planning Committee actually
5 is going to go work, the subcommittees get together, and
6 be doing that tomorrow.

7 (PUBLIC HEARING ADJOURNED.)

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STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

I, Patricia A. Stewart, Notary Public within
and for the State of Missouri, do hereby certify that I
was personally present at the proceedings had in the
above-entitled cause at the time and place set forth in
the caption sheet hereof; that I then and there took down
in Stenotype the proceedings had and produced with
computer-aided transcription and that the foregoing is a
full, true and correct transcript of such Stenotype notes
so made at such time and place.

IN WITNESS WHEREOF, I have hereunto set my
hand and seal on this 10th day of April, 2003.

My commission expires January 26, 2007.

Notary Public - State of Missouri
(Commissioned in Cole County.)